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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,278	08/30/2001	Albert Gouyet	NETS0074	1879
22862 7590 05/14/2010 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025				
EXAMINER WU, RUTAO				
ART UNIT 3628		PAPER NUMBER		
NOTIFICATION DATE 05/14/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eptomatters@glenn-law.com

Office Action Summary**Application No.**

09/944,278

Applicant(s)

GOUYET ET AL.

Examiner

ROB WU

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 12-34, 36, 38, 40-52, 61 and 69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 12-34, 36, 38, 40-52, 61 and 69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. In response filed February 25 2010, the Applicant amended claims 1-4, 6-8, 13, 14, 27-29, 32, 40. New claim 69 has been presented. Claims 1-8, 10, 12-34, 36, 38, 40-52, 61 and 69 are pending in the current application.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 25 2010 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-8, 10, 12-34, 36, 38, 40-52, 61 and 69 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 8, 10, 12, 14-29, 34, 36, 38, 40-52, 61 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub No 2002/0078230 to Hals et al in view of U.S. Pat No 5,948,040 to DeLorme et al.

Referring to claim 1:

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:

Hals et al disclose

a server configured to receive a request for travel information from the end user; (Fig 1, Fig 3) [0013]

a context determination module configured to determine a context from said received request for travel information automatically, depending only on what said end user requests; [0024], [0025], [0039]

wherein said context determination module processes a user entered phrase using a search mechanism to simultaneously determine both: travel destination information relevant to said end user; and at least one user-interest that corresponds to said received requests; [0039] and

a searching module configured to search for a search result based said context, [0025], [0039] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific,

interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination.

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination. (col 35: lines 38-54)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.

Hals et al disclose wherein said server is further configured to return said search result to the end user; [0024], [0025]

Referring to claim 2:

Hals et al disclose the system of claim 1, further comprising a feed retrieval system and a database couple to said feed retrieval system, wherein said feed retrieval system organizes said travel information for efficient storage by said database for easy retrieval. (Fig 2), [0031]

Referring to claim 3:

Hals et al disclose the system of claim 2, said feed retrieval system further comprising:

a rule-based engine for said obtaining said travel information from an internal partner and an external partner and storing said travel information into said database in a format used by a search engine. [0065], [0066]

Referring to claim 8:

Hals et al disclose the system of Claim 1, further comprising:

lookup tables for determining matches to facilitate processing said request for travel information. (Figs 4-6)

Referring to claim 10:

Hals et al disclose the system of Claim 1, said context determination module further comprising:

a plurality of context determining categories; and
means for determining at least one context determining category. (Figs 4-6),
[0024], [0025], [0039]

Referring to claim 12:

Hals et al disclose the system of Claim 1, said search result comprising:

the following travel categories:

destination guides;

canned keywords;

local events;

low air fares;

hot deals; and

lodging. (Fig 4-5)

Referring to claim 14:

Hals et al disclose displaying travel information related to the search terms.

[0024] Hals et al does not expressly disclose dynamic information comprises any of:

low air fares;

a hot deal; and

a fare watch.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to display air fare information or other fare information when displaying travel information related to the search terms to assist the user in determining travel information.

Referring to claim 15:

Hals et al disclose the system of Claim 1, wherein said server is a web server and said travel information is presented in one web page. [0024], [0067]

Referring to claim 16:

Hals et al disclose the system of Claim 15, wherein said one web page comprises:

a more link for facilitating linking to more detailed information as an option.

[0024], [0067]

Referring to claim 17:

Hals et al disclose the system of Claim 16, wherein said more detailed information comprises information reflecting and associated with at least one context determining category. [0039]

Referring to claim 18:

Hals et al disclose the system of Claim 1, further comprising a local escapes feature, wherein said local escapes feature uses a home location to provide particular travel information. [0037], [0039]

Referring to claim 19:

Hals et al disclose the system of Claim 18, further comprising:
means for determining said home location when not provided by an end user.
[0037], [0038]

Referring to claim 20:

Hals et al disclose the system of Claim 18, wherein said home location is selected from a list of predetermined home locations. [0037]

Referring to claim 21:

Hals et al does not expressly disclose
at least fifty predetermined cities or home airports.
Hals et al disclose that information of the user's state of residence can be determined. [0037] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to realize that there are at least fifty predetermined cities or home airports that can be determined from the user.

Referring to claim 22:

Hals et al disclose the system of Claim 18, wherein said provided travel information comprises any of:

a fare watch;
weekend e-fares;
local events;
hot deals;
links to other cities; and
maps. [0039], [0040], [0069]

Referring to claim 23:

Hals et al disclose the system of Claim 18, further comprising:
means for filtering out travel information not relevant to said home location.
[0039]

Referring to claim 24:

Hals et al disclose the system of Claim 18, further comprising:
a multi-hierarchical schema for organizing geographical regions to facilitate
determining relevant travel information, wherein content in said regions overlap. [0024]

Referring to claim 25:

Hals et al disclose the system of Claim 24, wherein geographical regions
comprise urban regions. [0024]

Referring to claim 26:

Hals et al disclose the system of Claim 25, wherein said urban regions comprise
content from other nearby and relevant cities associated with said home location. [0024]

Referring to claim 27:

Hals et al disclose a method for providing travel information to an end user in an intelligent way using a search result, said method comprising:

receiving a request for travel information from the end user; (Fig 1, Fig 3) [0013]

processing said phrase request into a query. (Fig 1, Fig 3) [0013]

automatically determining a context from said received request for travel information in the form of both: travel destination information relevant to said end user; and at least one user-interest that corresponds to said received request for travel information, [0039]

wherein said step of automatically determining said phrase context, depends only on said request for travel information; [0024], [0025], [0039]

automatically searching a plurality of databases according to both said query and said context for a search result, without any interaction with a human agent [0025], [0039] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination.

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination. (col 35: lines 38-54)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.

Hals et al disclose returning said search result to the end user; [0024], [0025]

Referring to claim 28:

Hals et al disclose the method of Claim 27 further comprising:

providing a feed retrieval system; (Fig 2), [0031]

providing a database couple to said feed retrieval system; (Fig 2), [0031]

wherein said feed system receives travel information from a plurality of internal and external partners; [0065], [0066] and

retrieval system organizes said content for efficient storage by said database for easy retrieval. (Fig 2), [0031]

Referring to claim 29:

Hals et al disclose the method of Claim 28, wherein said feed retrieval system further comprises:

a rule-based engine for said obtaining said travel information from said internal and external partners and storing said content into said database in a format used by a search engine. [0065], [0066]

Referring to claim 34:

Hals et al disclose the method of Claim 27, further comprising:
providing lookup tables for determining matches to facilitate processing said
request into said query. (Figs 4-6)

Referring to claim 36:

Hals et al disclose The method of Claim 27 further comprising:
analyzing a plurality of context determining categories; and
determining at least one context determining category. (Figs 4-6), [0024], [0025],
[0039]

Referring to claim 38:

Hals et al disclose the method of Claim 27, wherein said search result comprises
the following travel categories:
destination guides;
canned keywords;
local events;
low air fares;
hot deals; and
lodging. (Fig 4-5)

Referring to claim 40:

Hals et al disclose displaying travel information related to the search terms.
[0024] Hals et al does not expressly disclose dynamic information comprises any of:
local events;
low air fares;

a hot deal; and

a fare watch.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to display air fare information or other fare information when displaying travel information related to the search terms to assist the user in determining travel information.

Referring to claim 41:

Hals et al disclose the method of Claim 27 further comprising:

providing said travel information to said end user in one web page. [0024], [0067]

Referring to claim 42:

Hals et al disclose the method of Claim 41, wherein said one web page comprises:

a more link for facilitating linking to more detailed information as an option.

[0024], [0067]

Referring to claim 43:

Hals et al disclose the method of Claim 42, wherein said more detailed information comprises information reflecting and associated with one or more than one of said context determining category. [0039]

Referring to claim 44:

Hals et al disclose the method of Claim 27, further comprising:

providing a local escapes feature, wherein said local escapes feature uses a home location to provide particular travel information. [0037], [0039]

Referring to claim 45:

Hals et al disclose the method of Claim 44, further comprising:
determining said home location when not provided by an end user. [0037], [0038]

Referring to claim 46:

Hals et al disclose the method of Claim 44, wherein said home location is
selected from a list of predetermined home locations. [0037]

Referring to claim 47:

Hals et al does not expressly disclose
at least fifty predetermined cities or home airports.

Hals et al disclose that information of the user's state of residence can be
determined. [0037] Therefore, it would have been obvious to one having ordinary skill
in the art at the time the invention was made to realize that there are at least fifty
predetermined cities or home airports that can be determined from the user.

Referring to claim 48:

Hals et al disclose the method of Claim 44, wherein said provided travel
information comprises, a local escape category comprising any of:

a fare watch;
weekend e-fares;
local events;
hot deals;
links to other cities; and
maps. [0039], [0040], [0069]

Referring to claim 49:

Hals et al disclose the method of Claim 44, further comprising:
filtering out travel information not relevant to said home location. [0039], [0049]

Referring to claim 50:

Hals et al disclose the method of Claim 44, further comprising:
providing a multi-hierarchical schema for organizing geographical regions to
facilitate determining relevant travel information, wherein content in said regions
overlap. [0024]

Referring to claim 51:

Hals et al disclose the method of Claim 50, wherein geographical regions
comprise urban regions. [0024]

Referring to claim 52:

Hals et al disclose the method of Claim 51, wherein said urban regions comprise
content from other nearby and relevant cities associated with said home location. [0024]

Referring to claim 61:

Hals et al disclose the system of Claim 1, further comprising:
a multi-hierarchical schema for organizing at least one geographical region to
facilitate determining relevant travel information. [0024]
wherein said multi-hierarchical schema comprises levels of a state, a region
within said state, and cities within said region. [0024]

Referring to Claim 69:

A network-based travel information exchange for providing travel information to an end user, said exchange comprising:

Hals et al disclose

A server configured to receive at least one request for travel information from said end user via a browser-based interface; (Fig 1, Fig 3) [0013]

A travel search determination module operatively coupled with said server, wherein said travel search determination module is configured to automatically determine travel results from said at least one request for travel information; [0025], [0039]

Wherein said travel search determination module comprises a multi-database search mechanism configured to use said at least one request to simultaneously determine: travel destination information relevant to said end user; and at least one user-interest that corresponds to said at least one request; [0039]

Hals et al disclose wherein said server is configured to report at least one search result to said end user via said browser-based interface. [0024], [0025] Hal et al do not expressly disclose wherein said search result comprises both: logistical travel information relating to said travel destination; and location-specific, interest-dependent, and dynamic information corresponding to local events held in the vicinity of said travel destination.

DeLorme et al disclose returning search results based on the context of a user's query, the search result comprises both logistical travel information relating to said travel destination (col 40: lines 9-13) and location-specific, interest-dependent, and

dynamic information corresponding to local events held in the vicinity of said travel destination. (col 35: lines 38-54)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to combine the search results as disclosed by DeLorme et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, one ordinary skill in the art would have recognized that the results of the combination were predictable.

6. Claims 4, 5, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of DeLorme et al in further view of U.S. Pat No. 6,457,009 to Bollay.

Referring to claims 4 and 30:

Hals et al disclose that the information stored in the databases may be supplied by a third party [0066] Hals et al does not expressly disclose custom coded forms in a predetermined format supplied to said partners for facilitating said obtaining travel information.

Bollay discloses in his invention that a generic HTML form is filled in, and then translation is done on the form from a uniform field name to an actual name used by a corresponding remote database. (col 2: lines 44-49)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include custom

generated forms that can be supplied to partners to facilitate information gathering. since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case Hal's et al would still receive information from third parties using translated HTML forms as disclosed by Bollay. Thus one ordinary skill in the art would have recognized that the results of the combination were predictable.

Furthermore, one would be motivated to perform such modification to allow a standardized form being used by the partners to facilitate obtaining travel information.

Referring to claims 5 and 31:

Bollay does not explicitly state that the forms can also be coded in standard languages other than HTML, e.g. XML. The examiner takes official notice that forms coded in XML format are not a new feature. XML is another standardized language similar to HTML. Example can be found in U.S. Pat No. 6,697,967 to Robertson (col 2: lines 20-24)

7. Claims 6, 7, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of DeLorme et al in further view of U.S. Pat No. 6,601,059 to Fries.

Hals et al discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. [0024], [0025], [0039] Hals et al does not disclose a spell check service to provide correct spelling of said request for travel information, and the means of providing suggestions on alternate

spelling or relevant phrases, or means for setting ambiguity among words or phrases having similar parts.

Fries discloses in his invention a method of providing a visual cue to the user to indicate that the search query includes a misspelled word. The method also includes a step of providing lists of possible spellings for the misspelled words and allowing the user to select one of the possible spellings from the list. The method then replaces the misspelled word with the selected spelling to produce modified test. (col 1: lines 54-63)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include the spell checker that will notify the misspelled word, and then suggest alternatives since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case, the search step as disclosed by Hals et al would function the same when correct spellings are provided by Fries' invention, thus one ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, one would be motivated to perform such modification to assist the end user in providing correct spelling of an intended word so the search query with the word or phrase can be more effective.

8. Claim 13 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of DeLorme et al in further view of U.S. Pat No. 5,408,417 to Wilder.

Referring to claim 13:

Hals et al disclose searching and displaying local events and to-dos. [0039] Hals et al however, does not expressly disclose that local events comprises a concert.

Wilder discloses in his invention a automated ticket sales system that show upcoming events and attractions in the area, events such as concerts, sports, etc. (col 3: lines 10-13; col 6: lines 3-5)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include concerts information within the local events since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case, the searching and displaying steps as disclosed by Hals et al would function the same with the local concert information as disclosed by Wilder, thus one ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, one would be motivated to perform such modification to allow users reserve local functions that is of interest to the users.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROB WU whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rob Wu/
Examiner, Art Unit 3628